



Docket No.: 00041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit:	2664
)		
Stephan Gehring et al.)	Examiner:	Chirag G. Shah
)		
Serial No.: 09/480,837)	Confirmation No.:	4824
)		
Filed: January 10, 2000)		
)		
For: AN APPARATUS AND)		
METHOD FOR)		
MANAGING VARIABLE-)		
SIZE DATA SLOTS WITH)		
TIMESTAMP COUNTERS)		
WITHIN A TDMA FRAME)		
)		

Carlsbad, California
October 10, 2007

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Dear Sir:

This Declaration responds to the Examiner's comments contained in the April 13, 2007 Office Action.

My qualifications include over 25 years experience in the wireless communication industry, including extensive involvement developing technologies such as wide- and local- area wireless devices and systems. I currently hold twelve issued US patents and have numerous technical publications. As Director of Motorola's Ultra-wideband Technology Center, I was responsible for Motorola's worldwide wireless network strategy including the development and support of several IEEE standards including IEEE 802.15.3 high speed wireless multimedia

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networking and IEEE 802.15.4. I served in positions within the IEEE 802.15 working group as publicity chair and technical task group chair of IEEE 802.15.3a. In 2004, I was appointed by the US Department of State as a Private Sector Technical Adviser and delegate to the ITU for international radio regulatory matters on ultra-wideband systems. I hold a BSE from the University of Central Florida with emphasis on Electrical Engineering and a JD from the University of Miami. I am also a practicing registered professional engineer and member in good standing of the Florida Bar.

I am currently a consultant to Pulse~LINK in Carlsbad, California. I am considered an industry expert on issues relating to the implementation of ultra-wideband communications systems, particularly those employing the IEEE 802.15.3b-2005 standard which enables media access control using a time-division multiple access scheme.

In the April 13, 2007 Office Action, the Examiner states:

“Based on the alleged support provided, how do you implement UWB network employing TDMA frames? The mere term "could develop" doesn't make it possible to develop ultra wide band network employing TDMA frames. Merely disclosing "Such an illustrative wireless network is synchronous wireless network comprising a plurality of transceiver devices transmitting and receiving pulses using a baseband or "ultra wide band" transport" does not suggest of implementation of the communication using TDMA frame comprising multiplicity of ultra wideband signals” (emphasis added).

In my professional opinion, a person possessing the teachings found in Applicant's specification at the time of the claimed invention, and being of ordinary skill in the art, can implement without undue experimentation, an ultra wideband network employing TDMA frames comprising a multiplicity of ultra-wideband signals.

My conclusion is based on several facts, the first of which is that ultra-wideband was well known at the time of Applicant's invention. This contention is supported by the publication attached as **Exhibit A**, authored by Terence W. Barrett titled “History of UltraWideBand (UWB) Radar & Communications: Pioneers and Innovators” presented in July, 2000 at the Progress In Electromagnetics Symposium 2000 in Cambridge, Massachusetts. In his publication, Barratt

traces the history of ultra-wideband from 1942 to 2000, concentrating on both RADAR and communication applications. Thus, one of ordinary skill in the art at the time of filing of the present invention would be in possession of the knowledge necessary to implement at least one of several ultra-wideband systems described in Barratt's publication.

Conclusion

In my opinion, one of ordinary skill in the art, in possession of the knowledge relating to ultra-wideband described above (as well as that contained in Applicant's specification), and when equipped with the detailed disclosure of the specific construction and function of a TDMA communication system also contained in Applicant's specification, would be able to construct the claimed invention without undue experimentation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

October 10, 2007



Date

Gregg Rasor